

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Establishment – P.R.E.S. – Sri D.Sudhakar Reddy, Assistant Engineer (PR), PRSD., Pulivendula, Kadapa District – Request for notional reversion as Draughtsman Grade-II, notional promotion as Draughtsman Grade-I and to appoint him as Deputy Executive Engineer on par with his junior by extending G.O.Ms.No.385, dt.21.11.2005 – Extended - Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (ESTT.III) DEPARTMENT

G.O.Ms.No.391.

Dated:17-12-2009.

Read the following:-

1. G.O.Ms.No.385, PR & RD (ESTT.III) Department, dt.21.11.2005.
2. Representation of Sri D.Sudhakar Reddy, Assistant Engineer (PR), Sub Division, Pulivendula, Lingala, Kadapa District, dt. Nil.
3. From the Hon'ble A.P. Administrative Tribunal, Hyderabad, Interim orders dated 20.05.2009 in O.A.No.6031/2009.
4. From the Engineer-in-Chief, PR., Hyderabad, letter No.SO.II/Zone-IV/14807/2007, dt.12.10.2009 and 13.10.2009.
5. From the APAT., Hyderabad orders, dt.3.12.2009 in C.A.No.856/2009 in O.A.No.6031/2009.

ORDER:

Orders were issued in the reference 1st read above, notionally reverting Sri G. Malleswara Reddy as Draughtsman Grade-III and notionally promoting him as Draughtsman Grade-II on par with his immediate junior, as a Special Case. The Government also relaxed the rule 3 of APPR Engineering Service Rules issued in G.O.Ms.No.15, PR & RD Department, dt.08.01.99 in favour of the above individual to appoint him by transfer as Deputy Executive Engineer on par with his juniors from the category of Draughtsman Grade-I consequent on his notional appointment as Draughtsman Grade-I on notional basis by exercising the powers conferred under rule 31 of APSSS Rules, 1996.

2. In the reference 2nd read above, Sri D.Sudhakar Reddy, Assistant Engineer (PR), Sub Division, Pulivendula, Kadapa District, has represented that he was appointed as Draughtsman Grade III and subsequently promoted as Draughtsman Grade II and further promoted as Assistant Engineer as per the orders in vogue. His services were regularized by the Engineer-in-Chief, Panchayat Raj, Hyderabad in the above cadres. He has stated that the PR Engineering Department was formed in the year 1960 and the rules come into existence through G.O.Ms.No.244, dated 06.03.1963 and those rules were given effect from 01.11.1960. In the said orders, the Draughtsman category was shown under category-II ie., Draughtsman Grade I, II and III. Subsequently, a channel was provided to the Draughtsman cadre to the post of Assistant Engineer (presently Deputy Executive Engineer) vide G.O.Ms.No.125, dated 28.05.1973. As per the G.O., out of every (18) vacancies, (15) vacancies goes to Draughtsman. He completed (14) years of service as Assistant Engineer and (10) years of service in the cadre of Draughtsman Grade III and II respectively. He has also represented that previously some of the Draughtsman working in the Department as Grade I and II and promoted as Assistant Engineer and worked for a long time and reverted to the Draughtsman post at their request for the

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purpose of promotion as Assistant Engineer (presently Deputy Executive Engineer) in the reserved quota as issued in G.O.Ms.No.125, dated 28.05.1973. The Government have also issued orders extending the same benefit to Sri G. Malleswara Reddy, Assistant Engineer of Zone – IV who is most junior to him in the feeder categories, vide G.O.Ms.No. 385, Panchayat Raj & Rural Development (Estt.III) Department, dated 21.11.2005. He has, finally, requested the Government to consider his case on par with his junior and to give notional reversion as Grade II of Draughtsman from the category of Assistant Engineer and notional promotion as Draughtsman Grade-I and consequently appoint him as Deputy Executive Engineer.

3. In the reference 3rd read above, the individual has filed O.A.No.6031/2009 before the Hon'ble A.P. Administrative Tribunal and the Hon'ble Tribunal, in its interim orders, dated 20.05.2009 in the O.A. No.6031/2009, has ordered as under:

“Pending disposal of the OA there shall be a direction to the respondents to consider the request of the applicant for promotion to the post of Draughtsman Grade-I and Deputy Executive Engineer on par with his juniors by extending the benefit of G.O.Ms.No.385, dated 21.11.2005, within a period of four weeks from the date of receipt of a copy of this order and the impugned Government Memo No.17275/Estt.III/A1/2005-6, dated 21.1.2009 is suspended”.

4. In the reference 4th read above, the Engineer-in-Chief, Panchayat Raj, Hyderabad, among the others, has requested the Government to issue necessary orders in the matter, to avoid legal complications.

5. Government have examined the matter; keeping in view the reports of Engineer-in-Chief, Panchayat Raj, Hyderabad, orders of Hon'ble Tribunal and observed that as per the seniority lists of Draughtsman Grade-III, Grade-II and Grade-I of Zone IV furnished by the Engineer-in-Chief, Panchayat Raj, Hyderabad, the name of Sri D.Sudhakar Reddy stands at Sl.No.119 in the seniority list of Draughtsman Grade III and Sri G.Malleswara Reddy stands at Sl.No.137. The case of Sri D.Sudhakar Reddy is identical to Sri G.Malleswara Reddy. Both were appointed by transfer from the category of Draughtsman to the post of Assistant Engineer. Sri D.Sudhakara Reddy is senior to Sri G.Malleswara Reddy in the feeder categories.

6. The Government after careful consideration of the matter, hereby order that Sri D.Sudhakar Reddy, Assistant Engineer (PR) shall be notionally reverted as Draughtsman Grade-II and to promote him notionally as Draughtsman Grade-I on par with his junior by extending the G.O.Ms.No.385, Panchayat Raj and Rural Development (ESTT.III) Department, dated 21.11.2005; keeping in view the interim directions of the Hon'ble Tribunal and C.A. No. 856/09 in O.A.No.6031/2009.

7. Government further in exercise of the powers conferred under rule 31 of A.P. State and Subordinate Service Rules, 1996, relax the second proviso under Note (1) in Rule 3 of A.P.PRES Rules issued in G.O.Ms.No.15, P.R. &R.D. (Estt.III) Department, dated 08.01.1999 in favour of the individual to appoint him by transfer as Deputy Executive Engineer on par with his junior from the category of Draughtsman Grade-I consequent on his notional appointment as Draughtsman Grade-I on notional basis.

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8. The Engineer-in-Chief, Panchayat Raj, Hyderabad, shall take necessary action in the matter, accordingly, by following due procedure as required under rules.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.V.P.C. SASTRY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

To
The Engineer-in-Chief, Panchayat Raj, Hyderabad.
The individual through the Engineer-in-Chief, Panchayat Raj, Hyderabad.
The P.R. & R.D. (Estt.II) Department.

Copy to:

The Govt. Pleader for P.R. & R.D., A.P.A.T., Hyderabad.
The Superintending Engineer, P.R., Kadapa/Anantapur.
The Principal Secretary to Chief Minister.
The P.S. to Minister for P.R.,
The P.S. to Principal Secretary to Govt., (PR).
Sf/Sc.

// FORWARDED BY ORDER //

SECTION OFFICER